

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

INTEROFFICE COMMUNICATION

**OPERATIONAL MEMO 115-22
REVISION 2**

TO: Waste and Hazardous Materials Division Supervisors
FROM: George W. Bruchmann, Chief, Waste and Hazardous Materials Division
DATE: August 10, 2007
SUBJECT: Processing of Part 115 Operating License Amendment Requests

This Operational Memo replaces the November 19, 1999, Operational Memo 115-22, regarding the above subject.

The purpose of this memo is to outline the procedures to be followed for all operating license amendment requests under Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

Part 115 does not provide for amendments to licenses. Therefore, all license amendment requests should be viewed as an early renewal of an operating license. The same procedures that apply to any license also apply to license amendment requests. Procedures for amendment requests will remain consistent with all operating license review procedures as found in the latest revision of Operational Memo 115-7. The following items are important to note for the license amendment requests:

1. Application and Fees

A new application and fee are required to be submitted when requesting the amendment. These fees are based on Part 115, Section 324.11512(8) for Type II landfills and Section 324.11512(9) for Type III landfills. If the license amendment request is submitted more than six months but less than one year prior to expiration, reduced fees for Type II landfills can be used. These reduced fees are found in Sections 324.11512(8)(e) and 324.11512(8)(f). Reduction of application fees does not apply to new licenses or to Type III facilities.

2. Administrative Completeness Issues

Evidence of financial assurance, as with all operating licenses, must be reviewed at the time the license amendment application request is submitted to ensure adequate coverage. Also, the financial assurance will need to be based on the latest inflation factors.

All other license processing procedures and time frames remain the same, (e.g., 30-day review period for administrative completeness, followed by a 90-day technical review period). It is also important to note that a new license issued will have a new five-year expiration date and license number (see Section 324.11516(2) of Part 115).